



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER OF PATENTS AND TRADEMARKS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/690,705	10/17/2000	Joseph R. Hedrick	0112300/136	3251

29159 7590 05/28/2003

BELL, BOYD & LLOYD LLC
P. O. BOX 1135
CHICAGO, IL 60690-1135

EXAMINER

HANSEN, JAMES ORVILLE

ART UNIT

PAPER NUMBER

3637

DATE MAILED: 05/28/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.
09/690,705

Applicant(s)
HEDRICK et al.

Examiner
James O. Hansen

Art Unit
3637



-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on Apr 7, 2003
- 2a) ☒ This action is FINAL. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1, 3-27, and 29-37 is/are pending in the application.
- 4a) Of the above, claim(s) 14-22 and 33-37 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1, 3-13, 23-27, and 29-32 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claims _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on Oct 17, 2000 is/are a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☒ The proposed drawing correction filed on Apr 7, 2003 is: a) ☒ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
*See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s). _____ 6) ☐ Other:

Art Unit: 3637

DETAILED ACTION

Drawings

1. The proposed drawing correction and/or the proposed substitute sheets of drawings, filed on April 7, 2003 have been approved by the examiner. A proper drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application ✓

2. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the “back panel” [claim 13] must be shown or the feature(s) canceled from the claim(s). No new matter should be entered. A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance. ✓

Claim Rejections - 35 USC § 112

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. Claim 25 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The phrase “the display device” does not have a proper antecedent basis since the preceding limitations “a plurality of differently sized display devices” & “at least one of the display ✓

Art Unit: 3637

devices" in claim 23 do not provide a positive basis for the specific recitation of "the display device" [a suggested phrase would be --the at least one of the display devices--].

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 1, 3-12, 23-27 & 29-32 are rejected under 35 U.S.C. 103(a) as being unpatentable over McKay et al., [U.S. Patent No. 5,813,914] in view of Drabczyk [U.S. Patent No. 5,335,605]. McKay (figures 1-21) teaches of a gaming device (10) comprising: a component cabinet (40 e.g.); a display cabinet (20 e.g.) removably connected to the component cabinet; a display device (28) including in the display cabinet and operable with a processor (74 e.g.) and a at least one player input device (32) to enable a player to play a game upon a wager by the player; and side panels (52 & 4) removably connected to opposite sides of the component cabinet and the display cabinet respectively. McKay teaches applicant's inventive claimed concept as structurally disclosed above, including a door (8) pivotally connected to the component cabinet, a monitor cover including a frame (48) with at least one mask (46 e.g.) connected to the frame, a bill acceptor (36), coin acceptor (34), coin hopper (38) etc., and a locking mechanism (58, 62) removably connecting the cabinets together; but McKay does not specifically state that the side

Art Unit: 3637

panels include a substrate with a decorative layer. However, Drabczyk (figures 1-5) teaches of a panel having a decorative laminate applied directly to a metal substrate. It would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify the panels of McKay so as to employ a decorative layer as taught by Drabczyk because this arrangement would enhance the aesthetic appeal of the cabinets while affording flexibility in the decor of the space in which the device is situated. As to the type of substrate utilized, it would have been obvious to one having ordinary skill in the art at the time the invention was made to manufacture the panels out of an aluminum material, since it has been held to be within the general skill of a worker in the art to select a known material on the basis of its suitability for the intended use as a matter of obvious design choice. As to the type of laminate [sheet or sheets form], administrative notice is taken of the fact that a laminate may be applied to a substrate as a sheet or as a plurality of sheets. Fossier Jr., et al., [U.S. Patent No. 5,244,267] is cited as an evidence reference to show that the use of a sheet or sheets of laminate when applied to a substrate is old and well known. Additionally, administrative notice is taken of the fact that an adhesive may be used to bond a laminate to a substrate. Osen [U.S. Patent No. 6,053,585] is cited as an evidence reference to show that the use of adhesive to bond a laminate to a substrate is old and well known. As to the type of material utilized in the construction of the cabinets, it would have been obvious to one having ordinary skill in the art at the time the invention was made to manufacture the cabinets out of rolled steel, since it has been held to be within the general skill of a worker in the art to select a known material on the basis of its suitability for the intended use

Art Unit: 3637

as a matter of obvious design choice. As to the differently sized display cabinets, administrative notice is taken of the fact that differently sized cabinets may be used to form a modular cabinet structure. Krause et al., [U.S. Patent No. 6,267,462] is cited as an evidence reference to show that the use of employing differently sized cabinets to form a modular cabinet structure is old and well known. As to the multiple masks being employed, it would have been obvious to one having ordinary skill in the art at the time the invention was made to utilize multiples of an existing component, since it has been held that mere duplication of the essential working parts of a device involves only routine skill in the art.

7. Claims 13 is rejected under 35 U.S.C. 103(a) as being unpatentable over McKay et al., in view of Drabczyk and further in view of Krause et al., [U.S. Patent No. 6,267,462]. The prior art teach applicant's inventive claimed concept as disclosed above; but do not show a back panel being removably connected to the cabinets. However, Krause (figures 1-36) teaches of a "back" panel (48 e.g.,) that can be removably connected to adjacently mounted cabinets. It would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify the structure of the prior art so as to incorporate a cover panel that can be attached to the mating cabinets because this arrangement would provide the prior art with a more stable securing feature since both cabinets would be positively attached via an element spanning the space of both cabinets.

Art Unit: 3637

Response to Arguments

8. Applicant's arguments with respect to the claims have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

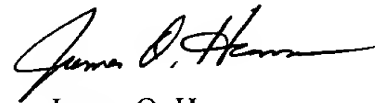
9. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry of a general nature or relating to the status of this application should be directed to the group receptionist at (703) 308-2168. **Fax numbers for Official Papers are as follows:**
Before Final (703) 872-9326 & After Final (703) 872-9327.

Art Unit: 3637

Any inquiry concerning this communication from the examiner should be directed to James O. Hansen whose telephone number is (703) 305-7414. Unofficial Papers can be faxed to the examiner directly via (703) 746-3659. Examiner Hansen can normally be reached Monday to Friday from 9:00 A.M. to 5:00 P.M. Eastern Time Zone.

A handwritten signature in black ink, appearing to read "James O. Hansen", with a stylized, flowing script.

James O. Hansen
Primary Examiner
Technology Center 3600

JOH
May 20, 2003